

UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF CALIFORNIA

EBAY INC.,

Plaintiff

v.

DIGITAL POINT SOLUTIONS, INC., SHAWN
HOGAN, KESSLER'S FLYING CIRCUS,
THUNDERWOOD HOLDINGS, INC., TODD
DUNNING, BRIAN DUNNING,
BRIANDUNNING.COM, and DOES 1-20,

Defendants

Civil Action No.

CV 08

4052

Summons in a Civil Action

To: *(Defendant's name and address)*

BRIAN DUNNING
15 High Bluff
Laguna Nigel, CA 92677

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

David R. Eberhart, Esq.
Sharon M. Bunzel, Esq.
O'MELVENY & MYERS LLP
Two Embarcadero Center, 28th Fl.
San Francisco, CA 94111

Telephone (415) 984-8700
Facsimile (415) 984-8701

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

RICHARD W. WIERING

Name of clerk of court

Helen L. Almacen

Deputy clerk's signature

Date: August 25, 2008

(Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States allowed 60 days by Rule 12(a)(3).)